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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 02950.P059Total Pages 3First Named Inventor or Application Identifier Steve McFarlandExpress Mail Label No. EL 234 217 470 US

ADDRESS TO: Assistant Commissioner for Patents
 Box Patent Application
 Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. X Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. X Specification (Total Pages 19)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claims
 - Abstract of the Disclosure
3. X Drawings(s) (35 USC 113) (Total Sheets 6)
4. X Oath or Declaration (Total Pages 4)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 17 completed) (**Note Box 5 below**)
 - i. **DELETIONS OF INVENTOR(S)** Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. Microfiche Computer Program (Appendix)

$\frac{1}{\sqrt{\pi}} \int_{-\infty}^{\infty} f(x) e^{-x^2} dx = \frac{1}{\sqrt{\pi}} \int_{-\infty}^{\infty} f(x) e^{-x^2} dx$

8. _____ Assignment Papers (cover sheet & documents(s))

9. _____ a. 37 CFR 3.73(b) Statement (where there is an assignee)

_____ x b. Power of Attorney (Unexecuted)

10. _____ English Translation Document (if applicable)

11. _____ a. Information Disclosure Statement (IDS)/PTO-1449

_____ b. Copies of IDS Citations

12. _____ Preliminary Amendment

13. X _____ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

14. _____ a. Small Entity Statement(s)

_____ b. Statement filed in prior application, Status still proper and desired

15. _____ Certified Copy of Priority Document(s) (if foreign priority is claimed)

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18. Correspondence Address

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Country U.S.A. TELEPHONE (408) 720-8598 FAX (408) 720-9397

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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Serial/Patent No.: * * Filing/Issue Date: Herewith
Client: Aspect Telecommunications
Title: User Invoked Directed Outdial Method and Apparatus

BSTZ File No.: 02950.P059 Atty/Secty Initials: ALM/JSS/td
Date Mailed: 8-31-2000 Docket Due Date: * *

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| <input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate) | <input type="checkbox"/> _____ Month(s) Extension of Time | Amt: <u>\$762.00</u> |
| <input checked="" type="checkbox"/> Application - Utility (<u>19</u> pgs., with cover and abstract) | <input type="checkbox"/> Information Disclosure Statement & PTO-1449 (____ pgs.) | <input type="checkbox"/> Check No. _____ |
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| <input checked="" type="checkbox"/> Drawings: <u>6</u> # of sheets includes <u>6</u> figures | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate | |

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FEE TRANSMITTAL FOR FY 2000**TOTAL AMOUNT OF PAYMENT (\$)** \$762.00**Complete if Known:**

Application No. Not Yet Assigned
 Filing Date August 31, 2000 (concurrently herewith)
 First Named Inventor Stephen McFarland
 Group Art Unit Not Yet Assigned
 Examiner Name Not Yet Assigned
 Attorney Docket No. 02950.P059

METHOD OF PAYMENT (check one)

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FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	690	201	345	Utility application filing fee	<u>690.00</u>
106	310	206	155	Design application filing fee	_____
107	480	207	240	Plant filing fee	_____
108	690	208	345	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____
SUBTOTAL (1)					<u>\$ 690.00</u>

2. EXTRA CLAIM FEES

		Extra Claims		Fee from below		Fee Paid	
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<u>24</u>			<u>4</u>	X	<u>18.00</u>	=	<u>72.00</u>
Independent Claims		- 3** =		X		=	
<u>3</u>			<u>0</u>	X	<u>78.00</u>	=	_____
Multiple Dependent						=	_____

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependent claim, if not paid
109	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 72.00

01/10/2000

- 1 -

PTO/SB/17 (6/99)

Patent fees are subject to annual revisions. Small Entity payments must be supported by a small entity statement, otherwise large entity fees must be paid.

See Forms PTO/SB/09-12

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	_____
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	_____
139	130	139	130	Non-English specification	_____
147	2,520	147	2,520	For filing a request for reexamination	_____
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	_____
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	_____
115	110	215	55	Extension for response within first month	_____
116	380	216	190	Extension for response within second month	_____
117	870	217	435	Extension for response within third month	_____
118	1,360	218	680	Extension for response within fourth month	_____
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119	300	219	150	Notice of Appeal	_____
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121	260	221	130	Request for oral hearing	_____
138	1,510	138	1,510	Petition to institute a public use proceeding	_____
140	110	240	55	Petition to revive unavoidably abandoned application	_____
141	1,210	241	605	Petition to revive unintentionally abandoned application	_____
142	1,210	242	605	Utility issue fee (or reissue)	_____
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SUBMITTED BY:Typed or Printed Name: Jeffrey S. SmithSignature  Date August 31, 2000Reg. Number 39,377

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UNITED STATES PATENT APPLICATION
FOR
USER INVOKED DIRECTED OUTDIAL METHOD AND APPARATUS

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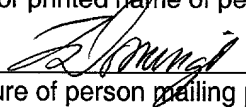
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USER INVOKED DIRECTED OUTDIAL METHOD AND APPARATUS

CROSS-REFERENCE TO RELATED APPLICATION

This application claims benefit of U.S. Provisional Application No.

5 60/210,923 filed June 12, 2000.

FIELD OF INVENTION

The invention is related to telephone conferencing.

10 BACKGROUND OF THE INVENTION

Systems are available for allowing a first caller to have a telephone conference with two or more parties over a telephone environment. However, all parties participating in the telephone conference are treated the same.

Furthermore, all parties participating in the conference dial a common number
15 to connect to a common bridge.

Systems of this nature currently available are inflexible because the script executed for all customers cannot alter its behavior based on customer input.

Also, the various instances of the script do not exchange any data, so the results of any one script cannot affect the execution of another instance.

SUMMARY OF THE INVENTION

A method including making a plurality of outbound calls to a plurality of called parties from a single device and detecting each called party that answers the call is disclosed.

BRIEF DESCRIPTION OF THE DRAWINGS

The present invention is illustrated by way of example and not limitation in the figures of the accompanying drawings, in which like references indicate similar elements, and in which:

5 **Figure 1** shows one embodiment for making a plurality of telephone calls from a single device.

Figure 2 shows another embodiment of making a plurality of outbound telephone calls from a single device.

10 **Figure 3** shows an example of an embodiment of a method used by the outdial system to perform the method of **Figure 1**.

Figure 4 shows an example embodiment of the signaling used to achieve a successful inbound call to outbound call.

Figure 5 is a block diagram illustrating an exemplary interaction environment.

15 **Figure 6** shows a diagrammatic representation of a computer.

DETAILED DESCRIPTION

A method and apparatus for making a plurality of outbound calls from a single device is disclosed. The method can detect which called parties respond to the call. Based on information associated with each caller, the device can

5 treat each caller as an individual. For example, the device can play different commercial messages to each called party, based on the personal interests of each called party. Furthermore, the device can collect information from each called party, and execute different computer programs based on the information collected.

10 Thus, from an inbound application, the apparatus can invoke an outbound application and coordinate and synchronize the two applications. In one embodiment, one inbound call launches multiple parallel outbound calls. For example, a call received at a person's office can launch outbound calls to multiple locations, such as the person's home phone, cellular phone, and

15 another office. Each outbound application is treated separately and can be programmed to operate independently of other outbound applications (e.g., outbound calls). If the initial caller hangs up, the application may allow a person to initiate another call.

Figure 1 shows one embodiment for making a plurality of telephone

20 calls from a single device. A caller may make an inbound call to a directed outdial system, block 110. The caller may identify a plurality of phone numbers

for the system to dial, block 120. In one embodiment, the caller can identify the numbers to the directed outdial system through a voice recognition device, a text to speech device, or a numeric keypad device. The outdial system then makes multiple outbound calls to the third parties, block 130. The outdial

5 system can detect which of the called parties answers the call, block 140. The outdial system may also detect an error, such as a fax machine that answers the call instead of a person, for example. The outdial system can then continue the process with the called parties that answer the call and establish a connection with the outdial system.

10 The outdial system can treat at least one called party individually based on information associated with that party. The outdial system can obtain information associated with a given called party by asking questions to the called party, for example by accessing a scripted list of questions stored in memory and playing the scripted list of questions to the called party, block 150.

15 The called party is requested to answer the questions. The questions may be answered through a voice recognition device, or a numeric keypad, for example. The outdial system may alternatively obtain specific information associated with each called party from the initial caller, or from a database, block 160.

20 The outdial system can enable various instances of the script to exchange data, so that any one script can affect the execution of another instance of the

script. For example, the system can enable exchanging data between the programs handling the various called parties while the programs are running, to report hang-ups or customer input. Several methods may be used to accomplish this, such as writing to a shared database, shared memory, or

5 shared file.

After obtaining information associated with a given called party, the outdial system can use that information to treat each called party on an individual basis, block 170. For example, the outdial system can send specific messages to a called party based on the information associated with that called party. Different commercial messages may be played to different called parties based on their corresponding personal interests and personal information. The outdial system may also request specific information based on the personal information associated with a given called party.

The outdial system can also connect the called parties that answer the call and the initial caller to a common channel so that all of the parties connected with the outdial system can participate in a conference call, block 180. Furthermore, the flexibility of the system enables the system to connect any combination of answered parties and/or the initial caller in a conference based on input from an individual called party or from the caller.

Figure 2 shows another embodiment of making a plurality of outbound telephone calls from a single device. In this embodiment, the outdial system

accesses a list of telephone numbers to be called, for example, by reading the list from a database stored in memory, block 210. The outdial system then calls the telephone numbers, and detects which parties answer the call, block 220. The outdial system may then request specific information from each called party
5 block 230, and based on the responses, request additional information or play specific messages, block 240.

For example, if a candidate for public office desires to conduct a survey, the candidate can provide a list of phone numbers of voters within his or her district to the outdial system. The outdial system can then dial those numbers.

- 10 The voters that answer the phone call are then asked one or more questions. Additional questions may be asked based on the initial answers from the voters. For example, if the candidate is a Democrat, and desires to collect information about Democrats, the first question may be "are you a Democrat?" Those called parties that answer "no" may be played a message that says
15 "thank you for your time." The called parties that answer "yes" may be asked additional follow up questions related to specific issues relevant to the candidate's campaign.

- Thus, the outdial system is able to obtain specific information associated with each called party and to treat each called party on an individual basis,
20 even without an initial caller to initiate the process.

Figure 3 shows an example of an embodiment of a method used by the outdial system to perform the method of **Figure 1**. An "A-leg," or inbound, calling program is executed by the system when a caller calls into the system, block 310. The outdial system reads information associated with the caller, block 315, and writes the information into a buffer, block 320. The system then invokes one or more outdial functions, block 325. The outdial function dials the numbers of the parties to be called. If a called number is busy, block 330, the system hangs up, block 335. Otherwise, the system invokes one or more "B-leg," or outbound, calling function for each called party and waits for an answer signal block 345, from each called party to indicate that each party has answered the call. The system then connects with a given called party after an answer signal is received, block 350. The system then may play a message, such as a commercial for example, to each called party, block 360. The message for a given called party may be unique to that party based on information associated with that party. The outdial system may connect the initial caller with the called parties on a single conference path so that the parties may participate in a conference call, block 365.

An example embodiment of the signaling used to achieve a successful inbound call to outbound call, or A-leg to B-leg, call is shown in **Figure 4**. An initial address message (IAM) from an incoming call is accepted by the A-leg application program, block 410. Then, an address completion message (ACM)

is returned block 415, followed by the answer message (ANM) signal, block 420.

The system then prepares caller information, such as ISUP (integrated services user part) parameters to be used by the B-leg application program, block 425.

An outdial function is then invoked block 430, which sends an IAM, such as

5 multiple telephone numbers, for example, across a telephone network, block 435. Then, an ACM is returned, block 440. The B-leg application program then controls the outdial process block 480, and waits for an ANM answer message from each called party, block 485. After one or more ANM signals have been returned, the A-leg and the B-leg may be bridged using a conference path so
10 that all connected parties can participate in a conference call, block 490.

Figure 5 is a block diagram illustrating an exemplary interaction environment 10, facilitated by an outdial system 12. The outdial system 12 may be any system that is capable of receiving, transmitting, queuing, routing, or otherwise processing a telephone call.

15 The interaction environment 10 is further shown to include an initial caller 14 (e.g., a human or automated entity) that is coupled to the outdial system 12. The interaction environment 10 further includes one or more called parties 16 (e.g., human agents or automated entities), that are capable of answering outbound calls and responding to requests communicated by the
20 initial caller 14, or directed to provide information to the initial caller 14. Each of the called parties 16 is furthermore coupled to the interaction system 12 that

serves to facilitate, broker and otherwise control interactions between the initial caller 14 and called parties 16.

The initial caller 14 is shown to be coupled to the customer interaction system 12 by a network, namely a Public Switched Telephone Network (PSTN) 18 via which the initial caller may engage in, for example, telephone-based communications. To this end, the initial caller 14 is shown to have access to telephone equipment 20.

The outdial system 12 is shown to include a number of sub-systems, namely an inbound communication system 26, and an outbound communication system 28. The inbound communication system 26 operates to receive inbound calls received at the interaction system 12 via the PSTN 18. The inbound communication system 26 may include, for example, Automatic Call Distributor (ACD), call center, PBX, or other telephone call processing device. The outbound communication system 28 (e.g., an outbound dialer system) operates to initiate communications with third parties 16 via the PSTN 18. For example, the outbound communication system 28 may perform an outbound telephone call campaign that includes automatically dialing a predetermined list of telephone numbers, detecting a customer pick up and, responsive to the customer pick up, communicating 16.

Each of the inbound communication system 26, and the outbound communication system 28 are shown to be coupled, and have access to, a

database 32 that stores information concerning the various called parties 16 and initial caller 14.

Figure 6 shows a diagrammatic representation of a machine in the exemplary form of a computer system 600 within which a set of instructions, for causing the machine to perform any one of the methodologies discussed above, may be executed. In alternative embodiments, the machine may comprise a network router, a network switch, a network bridge, Personal Digital Assistant (PDA), a cellular telephone, a web appliance or any machine capable of executing a sequence of instructions that specify actions to be taken by that machine.

The computer system 600 includes a processor 602, a main memory 204 and a static memory 606, which communicate with each other via a bus 608. The computer system 600 may further include a video display unit 610 (e.g., a liquid crystal display (LCD) or a cathode ray tube (CRT)). The computer system 600 also includes an alpha-numeric input device 612 (e.g. a keyboard), a cursor control device 614 (e.g. a mouse), a disk drive unit 616, a signal generation device 618 (e.g. a speaker) and a network interface device 620.

The disk drive unit 616 includes a machine-readable medium 622 on which is stored a set of instructions (i.e., software) 624 embodying any one, or all, of the methodologies described above. The software 624 is also shown to reside, completely or at least partially, within the main memory 604 and/or

within the processor 602. The software 624 may further be transmitted or received via the network interface device 620. For the purposes of this specification, the term "machine-readable medium" shall be taken to include any medium which is capable of storing or encoding a sequence of instructions
5 for execution by the machine and that causes the machine to perform any one of the methodologies of the present invention. The term "machine-readable medium" shall accordingly be taken to included, but not limited to, solid-state memories, optical and magnetic disks, and carrier wave signals.

Thus, a method and system for user involved directed outdial have been
10 described. The user involved directed outdial provides a user with the ability to invoke an outbound application with information provided by an inbound application, as well as the ability to easily transfer ISUP parameters form the inbound call to the outbound call. In addition, directed outdial error reporting in an SS7 telephone network environment is provided. This allows services
15 such as free phone or phone relay, while preserving the initial caller's identification information (e.g., "caller ID information").

Although the present invention has been described with reference to specify exemplary embodiments, it will evident that various modifications and changes may be made to these embodiments without departing from the
20 broader spirit and scope of the invention. Accordingly, the specification and drawings are to be regarded in an illustrative rather than a restrictive sense.

CLAIMS

What is claimed is:

- 1 1. A method comprising:
2 making a plurality of outbound calls to a plurality of called parties from
3 a single device; and
4 detecting each called party that answers the call.
- 1 2. The method of claim 1 further comprising treating at least one called
2 party individually based on information associated with the called party.
- 1 3. The method of claim 2, further comprising obtaining information
2 associated with at least one called party.
- 1 4. The method of claim 3, wherein obtaining further comprises requesting
2 information from the called party.
- 1 5. The method of claim 4 wherein requesting comprises requesting
2 numerical responses from the called party.

1 6. The method of claim 3 wherein obtaining further comprises asking
2 questions to the called party.

1 7. The method of claim 2 wherein treating further comprises executing a
2 computer program based on information associated with the called party.

1 8. The method of claim 2 wherein treating further comprises sending a
2 message to the called party based on the information associated with the called
3 party.

1 9. An apparatus comprising:
2 means for making a plurality of outbound calls to a plurality of called
3 parties from a single device; and
4 means for detecting each called party that answers the call.

1 10. The apparatus of claim 9 further comprising means for treating at least
2 one called party individually based on information associated with the called
3 party.

1 11. The apparatus of claim 10, further comprising means for obtaining
2 information associated with at least one called party.

1 12. The apparatus of claim 11, wherein said means for obtaining further
2 comprises means for requesting information from the called party.

1 13. The apparatus of claim 12 wherein said means for requesting comprises
2 means for requesting numerical responses from the called party.

1 14. The apparatus of claim 11 wherein said means for obtaining further
2 comprises means for asking questions to the called party.

1 15. The apparatus of claim 10 wherein said means for treating further
2 comprises means for executing a computer program based on information
3 associated with the called party.

1 16. The apparatus of claim 10 wherein said means for treating further
2 comprises means for sending a message to the called party based on the
3 information associated with the called party.

1 17. A computer readable medium having instructions which, when executed
2 by a processing system, cause the system to:
3 make a plurality of outbound calls to a plurality of called parties from a
4 single device; and

5 detect each called party that answers the call.

1 18. The medium of claim 17, wherein the executed instructions further cause
2 the system to treat at least one called party individually based on information
3 associated with the called party.

1 19. The medium of claim 18, wherein the executed instructions further cause
2 the system to obtain information associated with at least one called party.

1 20. The medium of claim 19, wherein the executed instructions further cause
2 the system to request information from the called party.

1 21. The medium of claim 20, wherein the executed instructions further cause
2 the system to request numerical responses from the called party.

1 22. The medium of claim 19, wherein the executed instructions further cause
2 the system to ask questions to the called party.

1 23. The medium of claim 18, wherein the executed instructions further cause
2 the system to execute a computer program based on information associated
3 with the called party.

- 1 24. The medium of claim 18, wherein the executed instructions further cause
- 2 the system to send a message to the called party based on the information
- 3 associated with the called party.

ABSTRACT

A method including making a plurality of outbound calls to a plurality of called parties from a single device and detecting each called party that answers the call is disclosed.

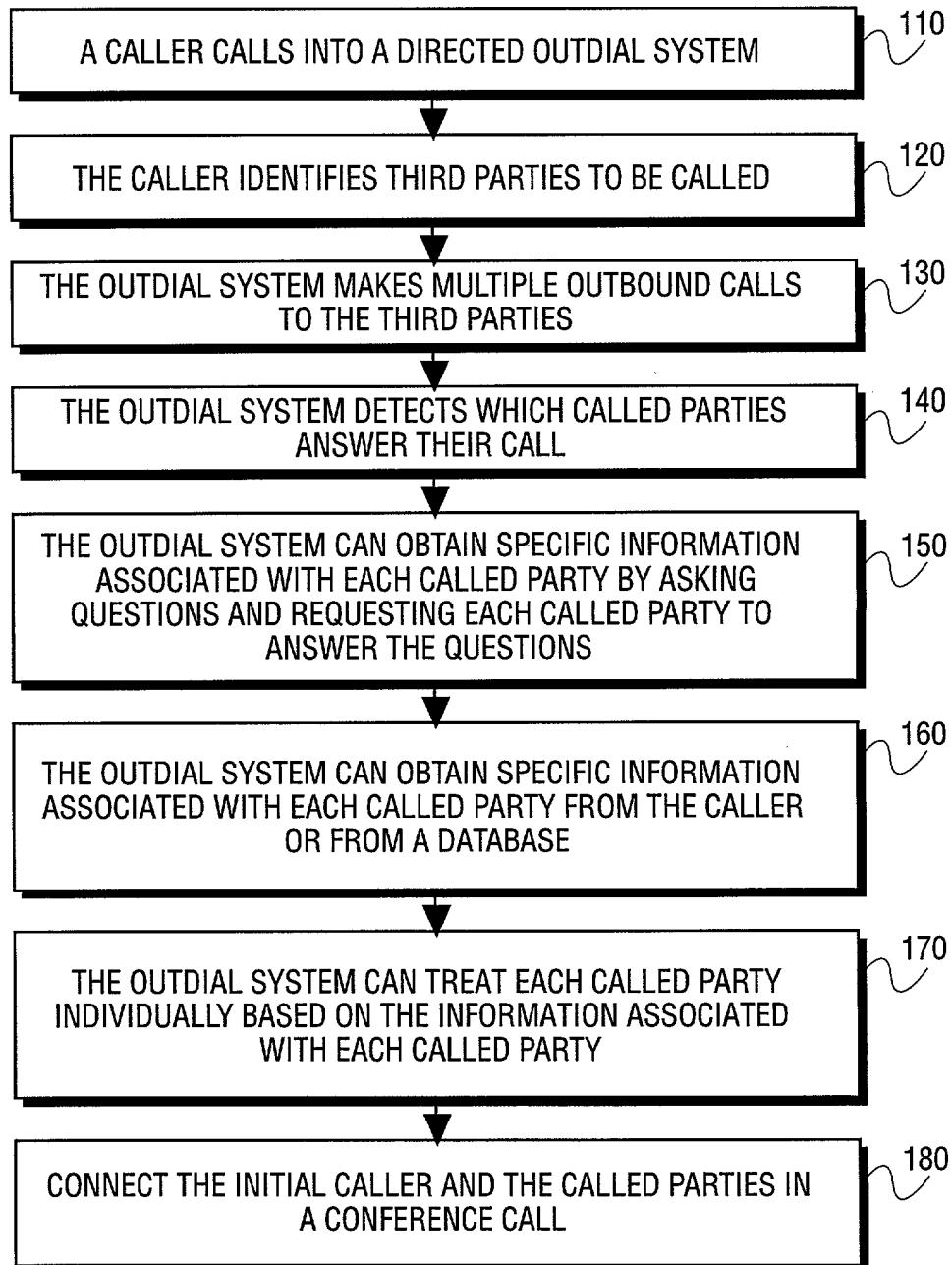


FIG. 1

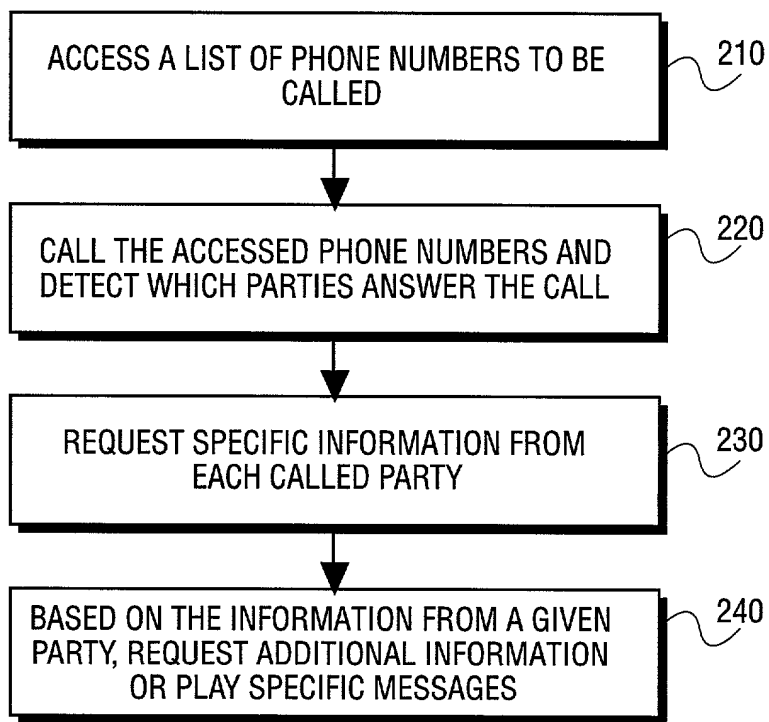


FIG. 2

FIG. 3 is a flowchart illustrating a process for handling a call. The process begins with a caller calling a system (310). The system then reads caller information (315) and writes it (320). The system then invokes an outdial (325). A decision is made (330) whether the system is busy. If busy (YES), the system hangs up (325). If not busy (NO), the system connects the calling party into the audio path (340). The process then moves to a B-LEG (206) where the system waits for a signal (345). A decision is made (350) whether a signal is received. If not received (NO), the system loops back to 345. If received (YES), the system plays a prompt/commercial (360) and connects the party into the audio path (365).

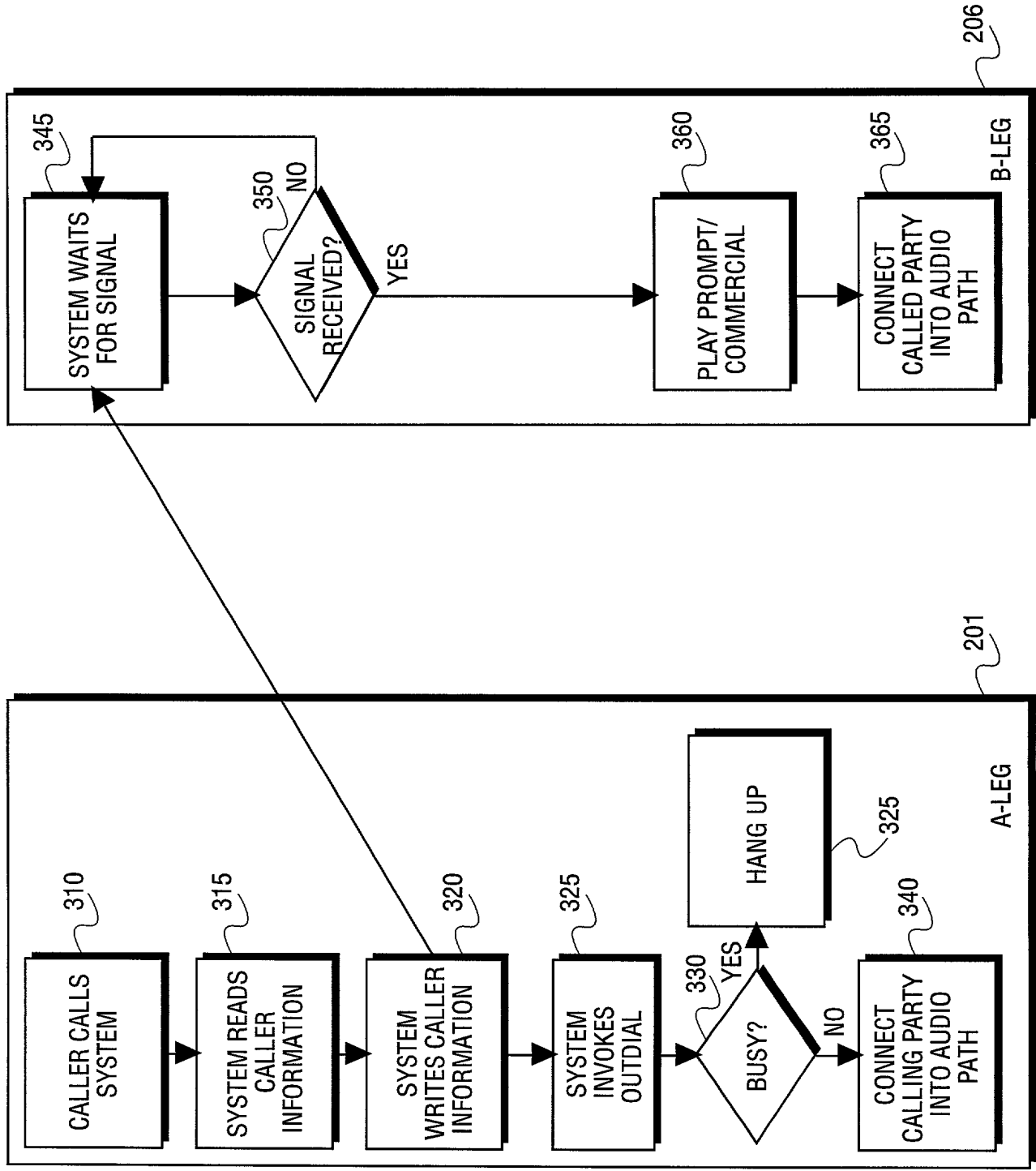
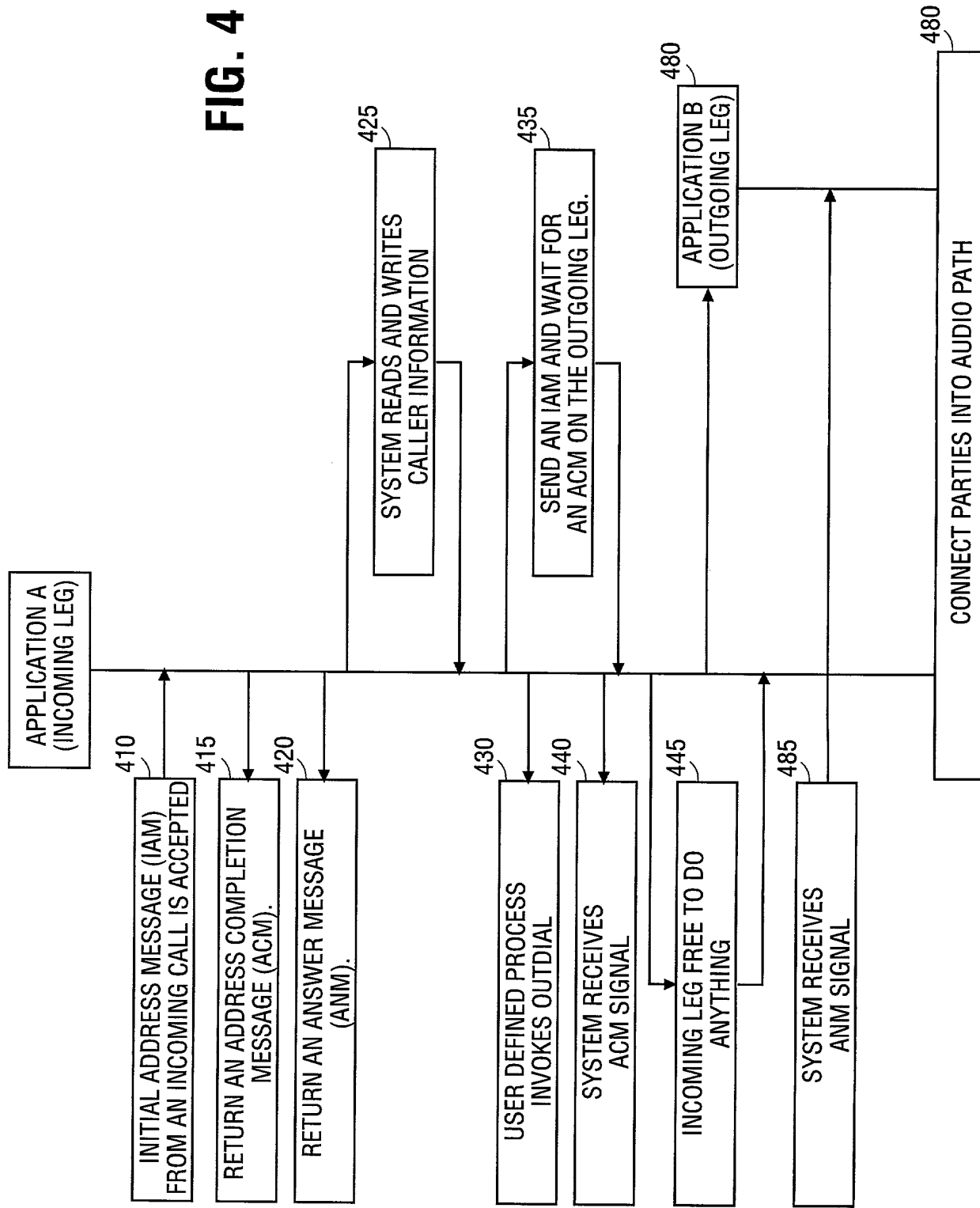


FIG. 3



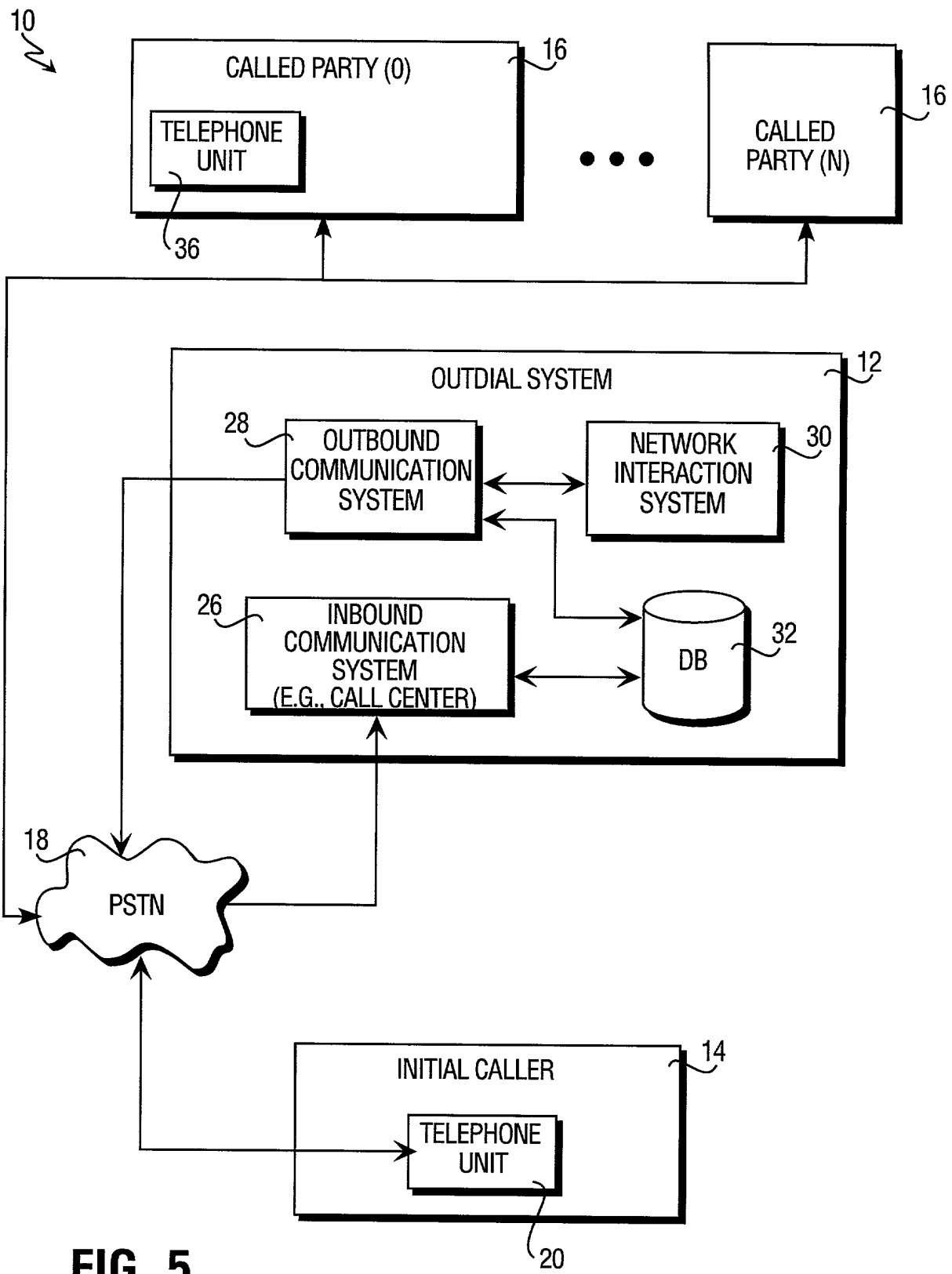


FIG. 5

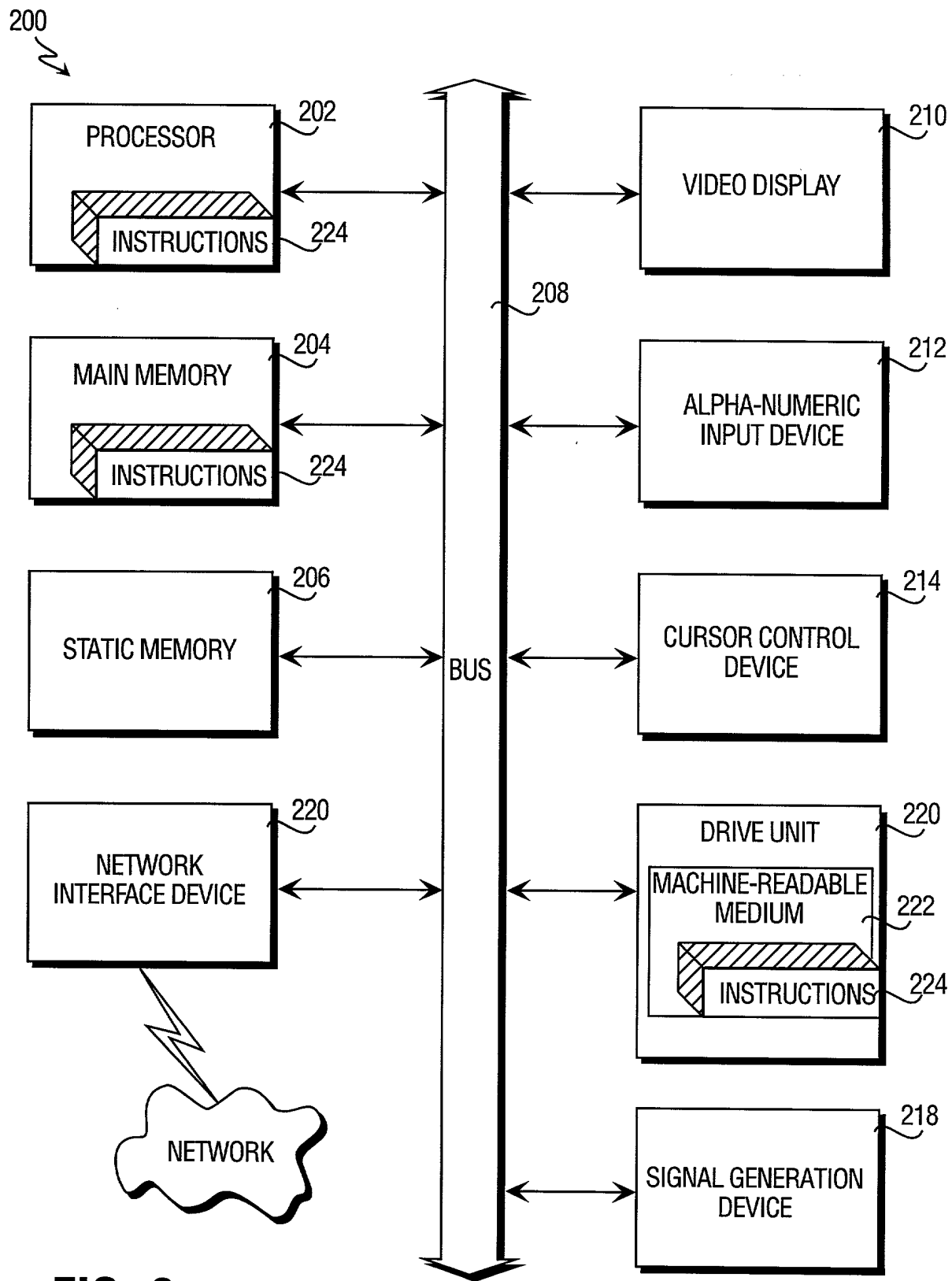


FIG. 6

As a below named inventor, I hereby declare that:

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

the specification of which

X is attached hereto.
_____ was filed on _____ as
United States Application Number _____
or PCT International Application Number _____
and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d), of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No
(Number)	(Country)	(Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Number)	_____ Filing Date
-------------------------------	----------------------

_____ (Application Number)	_____ Filing Date
-------------------------------	----------------------

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____ (Application Number)	_____ Filing Date	_____ (Status -- patented, pending, abandoned)
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_____ (Application Number)	_____ Filing Date	_____ (Status -- patented, pending, abandoned)
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I hereby appoint the persons listed on Appendix A hereto (which is incorporated by reference and a part of this document) as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith.

Send correspondence to Jeffrey S. Smith, BLAKELY, SOKOLOFF, TAYLOR &
(Name of Attorney or Agent)
ZAFMAN LLP, 12400 Wilshire Boulevard 7th Floor, Los Angeles, California 90025 and direct
telephone calls to Jeffrey S. Smith, (408) 720-8300.
(Name of Attorney or Agent)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor Stephen McFarland

Inventor's Signature _____ Date _____

Residence Groton, Massachusetts Citizenship USA
(City, State) (Country)

Post Office Address 90 Hayden Road
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APPENDIX A

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APPENDIX B

Title 37, Code of Federal Regulations, Section 1.56 Duty to Disclose Information Material to Patentability

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

(1) Prior art cited in search reports of a foreign patent office in a counterpart application, and

(2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office, or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.